

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

**v.**

**JUSTIN SWOGER,**

**Defendant.**

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**2:07-cr-340-3**

**ORDER OF COURT**

AND NOW, this 4<sup>th</sup> day of October, 2011, following a supervised release violation hearing, the Court finds that defendant has violated the conditions of supervised release as charged in the Petition On Supervised Release (Document No. 177). Specifically, the Court finds that defendant violated the terms of supervision set forth in the judgment order of conviction of November 13, 2009, by (1) failing to refrain from drug use; (2) failing to participate at times in drug treatment, as directed by the probation office; (3) leaving the judicial district without permission and; (4) failing to make any payments toward the \$100.00 special assessment. Defendant acknowledged his violations of the conditions of release on the record. These violations constitute Grade C violations under U.S.S.G. § 7B1.3(a)(1), which in conjunction with a criminal history category of I results in a guideline sentence range of 3-9 months under U.S.S.G. § 7B1.4.

Accordingly, **IT IS ORDERED** that the term of supervised release imposed in the judgment order of conviction of November 13, 2009, be, and the same is hereby, **REVOKED** and defendant is committed to the custody of the United States Bureau of Prisons for a term of five (5) months. Upon completion of this term of imprisonment, the defendant shall be placed

on supervised release for an additional period of twelve (12) months. All other provisions of the judgment order of conviction of November 13, 2009 remain in full force and effect.

BY THE COURT:

s/ Terrence F. McVerry  
United States District Court Judge

cc: Elisa A. Long, AFPD  
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Gregory J. Nescott, AUSA  
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PROBATION OFFICE

U.S. MARSHAL